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 FIVE STAR FORMULATORS, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

BIO-KOR METICS, LTD., an Israeli company,

*Plaintiff,*

v.

FIVE STAR FORMULATORS, INC., a  
 California corporation, and BELLA  
 SCHNEIDER,

*Defendants.*

FIVE STAR FORMULATORS, INC.,

*Counter-claimant,*

v.

BIO-KOR METICS, LTD. an Israeli company,

*Counter-defendant.*

Case No. CV10-4717-PJH

**STIPULATION AND PROPOSED ORDER  
 RESETTING CASE MANAGEMENT  
 CONFERENCE**

1 Per Northern District Local Rules 7-12 and 16-2, Plaintiff and Counter-Defendant Bio-  
2 Kor Metics, Ltd. ("Bio-Kor"), Defendant and Counter-Claimant Five Star Formulators, Inc.  
3 ("Five Star"), and Defendant Bella Schneider ("Schneider") (Five Star and Schneider  
4 collectively referred to herein as "Defendants"), submit this Stipulation and Proposed Order to  
5 reset the scheduled January 27, 2011 Case Management Conference for February 24, 2011.

6 **RECITALS**

7 WHEREAS, pursuant to the Order Setting Initial Case Management Conference and  
8 ADR Deadlines issued on October 19, 2010, the Initial Case Management Conference is  
9 scheduled to take place on January 27, 2011;

10 WHEREAS, counsel for Bio-Kor are unexpectedly unavailable to attend the Conference  
11 as scheduled;

12 WHEREAS, (a) Bio-Kor's lead counsel, Nick Setty, has suffered a death in his family,  
13 (b) Bio-Kor additional counsel, Noah Graubart, is temporarily unavailable to travel from Atlanta  
14 to Oakland due to family health circumstances; and (c) Bio-Kor's local counsel, Howard  
15 Pollack, is unavailable due to pre-existing scheduling conflicts;

16 WHEREAS, Bio-Kor requests a postponement of the Case Management Conference until  
17 February 24, 2011 in order to accommodate the Court's and counsel's schedule; and

18 WHEREAS, in view of the unusual circumstances, Defendants have consented to the  
19 requested postponement.

20 **STIPULATION**

21 Based on the foregoing Recitals, Bio-Kor and Defendants, by and through their  
22 respective attorneys, agree and stipulate as follows:

23 The Case Management Conference, currently scheduled for January 27, 2011 shall be  
24 reset for February 24, 2011 at 2 p.m. in Courtroom 3, 3rd Floor.

25  
26 IT IS SO STIPULATED.  
27  
28

1 DATED: January 26, 2011

SEDGWICK, DETERT, MORAN & ARNOLD LLP

2  
3 By: /s/Matthew Fischer

Matthew Fischer

Attorneys for Defendant and Counter-Claimant

FIVE STAR FORMULATORS, INC., and Defendant

BELLA SCHNEIDER

6 DATED: January 26, 2011

FISH & RICHARDSON P.C.

8  
9 By: /s/Noah C. Graubart

Noah C. Graubart

Attorneys for Plaintiff and Counter-Defendant

BIO-KOR METICS, LTD.

11 **ATTESTATION OF FILING**

12 Pursuant to General Order 45.X.B, I attest that I have obtained concurrence in the filing  
13 of this document from the parties listed above.

14  
15 /s/Noah C. Graubart

Noah C. Graubart

**ORDER**

PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT:

The Case Management Conference, currently scheduled for January 27, 2011 shall be reset for February 24, 2011 at 2 p.m. in Courtroom 3, 3rd Floor.

DATED: January 28, 2011

